ANNO DECIMO SEXTO

# VICTORIÆ REGINÆ.

## *Cap.* xliii.

## An Act for enabling the *Shipley* Gaslight Company to raise a further Sum of Money; and for extending the Limits of their existing Act to the adjoining Township of *Baildon*.

[14th *June* 1853.]

WHEREAS by "The *Shipley* Gaslight Act, 1847," the *Shipley* Gaslight Company was incorporated, and authorized to supply Gas to the Township of *Shipley* in the Parish of *Bradford*, and the Village of *Windhill* and the Neighbourhood thereof within the Parish of *Calverley*, in the West Riding of the County of *York*: And whereas the Capital of the Company was by such Act fixed at the Sum of Five thousand Pounds, with Power to borrow or to raise by Shares an additional Sum of One thousand six hundred and sixty-six Pounds: And whereas the Company have raised by Shares, not only the Capital of Five thousand Pounds, but such additional Sum of One thousand six hundred and sixty-six Pounds, and the same has been expended in the Works of the Company, and they have not exercised the Power of borrowing conferred upon them by such Act: And whereas it is expedient, for the Purpose of affording an additional Supply of Gas within the Limits prescribed in the recited Act, and within the Township of *Baildon* in the Parish of *Otley*, adjoining thereto, that the Capital of the Com- 10 & 11 Vict. c. v.

pany should be increased as after mentioned, and that the aforesaid Limits should be extended to include such last-mentioned Township: And whereas, for effecting the Objects aforesaid, it is expedient that the recited Act should be repealed, and that further Powers should be granted instead thereof; but such Purposes cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Short Title.

I. That in citing this Act for any Purpose it shall be sufficient to use the Expression "The *Shipley* Gaslight Act, 1853."

And with respect to the Repeal of the recited Act, be it enacted as follows:

Recited Act repealed.

II. That the recited Act shall be repealed.

Company to continue incorporated.

III. That, notwithstanding the Repeal of the recited Act, the Company shall for the Purposes of this Act remain as from the passing of the recited Act and continue incorporated by the Name of "The *Shipley* Gaslight Company," and by that Name shall continue and be a Body Corporate, with perpetual Succession and a Common Seal, and with Power to purchase, hold, and dispose of Lands and other Property for the Purposes and within the Restrictions of this Act.

Company to remain entitled to their Property.

IV. That, notwithstanding such Repeal, the existing Share Capital of the Company shall continue to be the Share Capital of the Company, and the Company shall remain and be seised and possessed of and entitled to all the Estates, Monies, Property, Effects, Claims, and Demands whatsoever of or to which the Company were by virtue of the recited Act, or otherwise howsoever, immediately before the passing of this Act, seised, possessed, or in any way entitled, at Law or in Equity, or otherwise howsoever, with the Appurtenances, as if the recited Act had not been repealed.

Conveyance, &c. to remain in force.

V. That, notwithstanding such Repeal, all Purchases, Sales, Conveyances, Leases, Mortgages, Bonds, Contracts, Agreements, Securities, Orders, Resolutions, Proceedings, and other Acts and Things before such Repeal done, entered into, executed, or instituted under or by virtue or with reference to the Purposes of the recited Act, shall be as good, valid, and effectual, to all Intents and Purposes whatsoever, for, against, and with reference to the Company, as if the recited Act had not been repealed, and may be enjoyed, proceeded on, and enforced accordingly.

VI. That,

Actions not to abate.

VI. That, notwithstanding such Repeal, any Action, Suit, Prosecution, or other Proceeding commenced either by or against the Company shall not abate or be discontinued or be prejudicially affected by such Repeal, but, on the contrary, the same respectively shall continue and take effect, both in favour of and against the Company, in like Manner in all respects as the same would have continued and taken effect if the recited Act had not been repealed, and all Offences against the Provisions of the recited Act committed before the passing of this Act may be prosecuted, and all Penalties incurred by reason of such Offences may be sued for, in like Manner in all respects as if such Act had not been repealed.

Debts due to and by the Company to be paid to and by them respectively.

VII. That, notwithstanding such Repeal, all Persons who immediately before the passing of this Act owe any Sum of Money to the Company, or to any Person on behalf of the Company, shall pay the same, with all Interest (if any) due or to accrue due for the same, to the Company; and all Debts and Monies which immediately before the passing of this Act were due or owing by or recoverable from the Company, or for the Payment of which the Company were, or but for such Repeal would be liable, shall be paid, with all Interest (if any) due or to accrue due thereon, by or be recoverable from the Company

Directors and Auditors of Company *to remain in* Office.

VIII. That, notwithstanding such Repeal, the several Persons who at the Time of the passing of this Act are Directors and Auditors of the Company shall remain in Office, and shall retire from Office in the same Rotation and Manner as that in which they would have retired if this Act had not passed.

Present Officers to continue until removed.

IX. That, notwithstanding such Repeal, every Officer and Servant appointed by virtue of or acting under the Authority of the reciting Act shall hold and enjoy his Office and Employment, with the Salary thereunto annexed, and be deemed an Officer and Servant of the Company, until he be removed from such Office and Employment; and every such Officer and Servant of the Company shall have the like Power and Authority for the Purposes of this Act, and be subject to the like Power of Removal, Rules, Regulations, Pains, and Penalties, in all respects whatsoever, as if he had been appointed under this Act.

Books to remain Evidence.

X. That, notwithstanding the Repeal of the recited Act, all Books and Writings which, if such Act were not repealed, might be admitted in Evidence, shall be admissible in Evidence in all Courts of Law and Equity, and otherwise, as if this Act had not passed.

And

And with respect to the Rights and Powers of and the Execution of this Act by the Company, be it enacted as follows:

8 & 9 Vict. cc. 16. 18. and 10 & 11 Vict. c. 15. incorporated with this Act.

XI. That "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Gasworks Clauses Act, 1847," shall be incorporated with this Act; and the Expression "the Undertaking" in "The Gasworks Clauses Act, 1847," shall mean the Gasworks and the Works connected therewith by this Act authorized to be maintained; and the Expression "the Undertakers" in that Act shall mean the Company: Provided always, that the Incorporation with this Act of "The Lands Clauses Consolidation Act, 1845," shall not enable the Company to take Lands otherwise than by Agreement.

Capital.

XII. That the Capital of the Company shall be their present Capital of Six thousand six hundred and sixty-six Pounds, and such further Capital as is from Time to Time raised by Shares and otherwise under the Powers by this Act granted to the Company.

Number and Qualification of Directors.

XIII. That the Number of Directors shall be Nine, and the Qualification of a Director shall be the Possession in his own Right of Twenty Shares in the Undertaking.

Power to vary the Number of Directors,

XIV. That it shall be lawful for the Company to increase or reduce the Number of Directors; provided that the increased Number do not exceed Ten, and that the reduced Number be not less than Six.

Annual Meeting.

XV. That there shall be an annual Meeting of the Company held in the Month of *July* in every Year.

Quorum for General Meetings of Shareholders.

XVI. That in order to constitute a General Meeting of the Company there shall be present, either personally or by Proxy, Shareholders holding in the aggregate not less than One Tenth of the Capital of the Company, and being in Number not less than One for every One hundred Pounds of such required Proportion of Capital, unless such Number should be more than Ten, in which Case Ten Shareholders holding not less than One Tenth of the Capital of the Company shall be the Quorum.

Newspapers for Advertisements.

XVII. That all Advertisements relating to the Affairs of the Company shall be inserted in at least One Newspaper published in the West Riding of the County of *York*.

Power to raise an additional Capital.

XVIII. That the Company may, from Time to Time with the Consent of Three Fifths of the Votes of the Shareholders of the Company

Company present in Person or by Proxy at any General Meeting, raise by the Creation of Shares any additional Capital not exceeding in the whole the Sum of Thirty-three thousand three hundred and thirty-four Pounds.

Additional Capital to be offered in the first place to existing Shareholders.

XIX. That whenever any Shares are newly created for augmenting the Capital of the Company, pursuant to the Provisions of this Act, they shall be offered to the then Proprietors of Shares in proportion, as nearly as can be conveniently done, to the Shares held by them respectively.

Shares to vest in Persons accepting Offer and paying Calls.

XX. That such Offer shall be made by Letter under the Hand of the Clerk of the Company given to or sent by Post to each Proprietor, or left at his usual or last known Place of Abode, or addressed to his last Address appearing in the Shareholders Address Book, by the "Companies Clauses Consolidation Act" required to be kept, of which Letter having been so given or sent the Certificate of such Clerk shall be conclusive Evidence; and such newly-created Shares shall vest in and belong to the Proprietors who shall accept the same, and pay to the Company the Price at which the same were allotted to them, at such Times and in such Manner and by such Instalments as shall be fixed by the Directors of the Company.

As to Disposal of Shares not taken by Proprietors.

XXI. That if any Proprietor fail for One Month after such Offer of newly-created Shares to accept the same, or to pay any of the Instalments called for in respect thereof, it shall be lawful for the Company to dispose of such Shares to any Party willing to become the Purchaser thereof, for such Sum as the Company can obtain for the same, or otherwise as they think proper.

Calls.

XXII. That if the Company shall create any Capital under the Provisions of this Act Forty *per Centum*, on the Amount of such Capital shall be the greatest Amount of the First Call which may be made in respect thereof, and Twenty *per Centum* on the Amount of such Capital shall be the greatest Amount of any subsequent Call which may be made in respect thereof, and so in like Manner with respect to every subsequent Creation of Capital which may be made by the Company; and in all Cases there shall be an Interval of not less than Three Months between any Two successive Calls; and the aggregate Amount of all Calls on any One Share in One Year shall not exceed Two Thirds of the Amount of such Share.

Power to borrow Money on Mortgage or Bond.

XXIII. That after the whole of the additional Capital of Thirty-three thousand three hundred and thirty-four Pounds shall have been subscribed, and One Half of the entire Capital of the Company shall have

have been paid up, it shall be lawful for the Company to borrow on Mortgage or Bond any Sum not exceeding in the whole the Sum of Eight thousand Pounds.

Power to re-borrow.

XXIV. That if the Company shall pay off any Sums owing by them on Mortgage or Bond, it shall be lawful for them again to borrow the Sum so paid off, and so from Time to Time as often as Occasion shall require.

Application of Money.

XXV. That all Money raised under the Provisions of this Act, whether by means of Shares or by Exercise of the Powers of borrowing, shall be applied to the Purposes of the Undertaking by the recited Act and this Act authorized, and to no other Purpose.

Limits of the Act.

XXVI. That the Limits of this Act shall be the Township of *Shipley* in the Parish of *Bradford*, the Village of *Windhill* and the Neighbourhood thereof within the Parish of *Calverley*, and the Township of *Baildon* in the Parish of *Otley*, in the West Riding of the County of *York*.

Company empowered to continue and construct Gasworks.

XXVII. That it shall be lawful for the Company, subject to the Restrictions herein contained, from Time to Time to continue, make, construct, lay down, maintain, alter, or discontinue such Retorts, Gasometers, Receivers, and Buildings, Cisterns, Engines, Machines, and other Apparatus, Cuts, Drains, Sewers, Watercourses, Reservoirs, Machinery, and other Works, and also such Houses and Buildings, upon the Land by this Act authorized to be held and purchased by the Company, and to do all other Acts necessary and convenient as they shall think proper for supplying the Inhabitants within the Limits of this Act with Gas.

Power to purchase Lands.

XXVIII. That the Company may from Time to Time agree with the Owners of any Lands within the Limits of this Act which they think requisite or proper for any of the Purposes of their Undertaking, for the absolute Purchase, for a Consideration in Money, on such Terms as are agreed on, of any such Lands, not exceeding in Quantity Three Acres, provided that the Company shall not hold for the Purposes of their Undertaking more than Five Acres of Land.

Limiting the Price of Gas.

XXIX. That it shall not be lawful for the Company to demand or receive from any Person or Corporation who shall use or burn Gas manufactured and supplied by the Company, and used by the Meter, a Sum exceeding the Rate of Five Shillings and Tenpence *per* One thousand Cubic Feet of such Gas.

XXX. That

XXX. That all the Costs, Charges, and Expenses of applying for and obtaining this Act, or incident thereto, shall be defrayed by the Company. Expenses of Act.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1853.